
Appeal Decision

Site visit made on 13 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2020

Appeal Ref: APP/Z1510/W/20/3254260

Land adjacent to Woodhouse, Main Road, Boreham, Essex CM3 3AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ronald Newman against the decision of Braintree District Council.
 - The application Ref 19/01278/OUT, dated 17 July 2019, was refused by notice dated 13 February 2020.
 - The development proposed is erection of a bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made in outline with all detailed matters reserved for later consideration. I have dealt with the appeal on the same basis, taking those details provided as illustrative only.

Main Issue

3. Whether this proposal would be acceptable in this location with regard to the character and appearance of the area and accessibility to services.

Reasons

4. The proposal relates to a narrow plot of land with an access directly onto the B1137, which here runs alongside the A12 trunk road. The B1137 links the two quite large settlements of Hatfield Peverel and Boreham and the appeal site lies roughly equidistant between these, at about a mile from the edge of each. The site abuts the expansive garden to Woodhouse, the next-door dwelling, but is otherwise within open countryside containing mainly farmland and only quite sparse habitation. The bungalow would replace a rather unobtrusive Nissen hut located at the rear of the site, which had a previous employment use as storage for a former builder's yard here.
5. The Council's development plan currently comprises the Braintree Core Strategy 2011 (CS) and Local Plan Review 2005 (RLP). The appeal site is outside the nearest town development boundaries and Policy RLP2 restricts new development here to where countryside policies apply. Policy CS5 strictly controls proposals in such locations to uses appropriate to the countryside so as to protect its landscape character and amenity. The bungalow would be more prominent than the existing Nissen Hut and comprise an additional,

rather isolated feature within what is mainly open countryside. Along with its associated residential paraphernalia, a bungalow would have a significantly more harmful effect upon the mainly undeveloped rural landscape, when compared to the relatively inconspicuous Nissen hut.

6. The restraint imposed by the aforementioned policies in respect of dwellings in the countryside also serves to focus development in accessible locations and to reduce the need to travel, as sought by Policy CS7. The appeal site is nearly a mile and a half from the nearest supermarket and doctor's surgery and two miles from the local primary school. Access to the B1137 footpath means crossing this busy road from where there would be a long walk, initially without streetlighting, to reach the nearest services and facilities. This might not deter keen walkers or cyclists and, alternatively, there is a bus service from a stop a bit closer to the site. However, for an average household, occupation of a bungalow here would likely result in a relatively high reliance on private car journeys in order to access regularly required needs.

Planning Balance

7. The proposal is contrary to the development plan, the policies of which place a restraint on housing outside settlement boundaries and within the countryside. However, the Council is currently unable to demonstrate the full five-year housing land supply sought by the National Planning Policy Framework (the Framework).
8. I must give weight to the Framework and deem the development plan policies most important for determining this appeal as out-of-date, applying what is now commonly understood as the 'tilted balance', as set out in paragraph 11 d) ii.
9. The proposal would help meet a general demand for single-storey, retirement accommodation and satisfy a personal housing need for the appellant and his wife. However, whilst helping slightly to meet the Framework's aim of boosting housing supply, a single dwelling would offer only limited social benefits towards addressing the under-provision of residential land in Braintree District. The construction of the new bungalow and the additional household expenditure would provide only very small benefits to the local economy.
10. There would be some small environmental benefit from the scheme making use of a previously developed site, rather than encroaching onto farmland. However, any advantages in this regard would be offset by the visual harm of a dwelling in the countryside.
11. Despite the bus stop, a quite short walk away, the proposed bungalow would not be conveniently accessible to the services in the nearest towns. The resulting degree of private car reliance to meet regular household needs, such as schools, supermarkets and surgeries, would run counter to the Framework's objectives for achieving sustainable development.
12. There would be no highway safety implications over what is proposed, as an on-site turning area could be provided to enable vehicles to enter and exit the site in a forward gear. However, this is a neutral consideration in the overall balance.
13. The harm found to the character and appearance of the countryside, and from the relatively poor accessibility to services, would significantly and

demonstrably outweigh the very small benefits provided by the bungalow, when assessed against the Framework policies taken as a whole. The proposal would therefore not benefit from the presumption in favour of sustainable development provided by paragraph 11. As a material consideration, this would thus not indicate the appeal be decided other than in accordance with the development plan, with which there would be a clear conflict when considered as a whole. Therefore, I conclude that the appeal should be dismissed.

Jonathan Price

Inspector